

Applicant : Andreas N. Wiswesser et al.
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Attorney's Docket No.: 002562C2-369003

REMARKS

In reply to the Office Action of October 28, 2004, the applicant submits the following remarks and respectfully requests reconsideration.

Claims 23-30, 38, 40, 42-43, and 47 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 23, 27, 29, 30, 42, and 47 have been amended to account for typographical errors. In view of the amendments, the applicant believes that claims 23-30, 38, 40, 42-43, and 47 distinctly claim the subject matter of the invention and are in condition for allowance.

Claims 22-23, 26-27, 29, 38-39, 40, and 42-43 were rejected under 35 U.S.C. 102(b) as being clearly anticipated by Sandhu et al (U.S. Pat. No. 5,486,129). Claims 28, 30, and 47 were rejected under 35 U.S.C 103(a) as being unpatentable over Sandhu et al (U.S. Pat. No. 5,486,129). Claims 44-46 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al (U.S. Pat. No. 5,486,129) in view of Japan No. 403234467. Claim 41 was objected to as being dependent upon a rejected claim.

The applicant respectfully traverses the rejections and directs the Examiner's attention to FIG. 1 and column 6, lines 30-34 of Sandhu. The system described in Sandhu includes a single laser source and controller (64), which is coupled to multiple light transmitter/receiver units (62). By contrast, claim 22 explicitly recites an apparatus that includes "a plurality of optical systems located in [a] platen, each of the plurality of optical systems including a light source to independently generate a light beam through an associated one of [a] plurality of optical apertures". As explained in the specification, an apparatus having a plurality of independent light sources has several potential advantages over an apparatus with a single light source, such as allowing for different optical systems to operate at different effective wavelengths. Employing two optical systems operating at different effective wavelengths allows more accurate measurements. Nothing in Sandhu teaches or suggests using a plurality of optical systems, "each of the plurality of optical systems including a light source to independently generate a light beam through an associated one of [a] plurality of optical apertures," as recited in claim 22.

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Furthermore, the apparatus recited in claim 22 includes "a plurality of optical systems located in the platen, each of the plurality of optical systems including [...] a sensor to measure light from [a] light beam that is reflected from [a] substrate to generate an intensity signal". The applicant submits that the transmitter/receiver units 62 in Sandhu "transmit light at the wafer face and collect reflections therefrom". However, the transmitter/receiver units 62 in Sandhu do not include sensors (e.g., photodetectors) that measure light and generate intensity signals. Sandhu does not explicitly state how the laser apparatus measures the reflections, but it appears that the reflections are measured using the same controller 64. Accordingly, nothing in Sandhu teaches or suggests using a plurality of optical systems, each of the plurality of optical systems including "a sensor to measure light from [a] light beam that is reflected from [a] substrate to generate an intensity signal," as recited in claim 22. For at least these reasons, claim 22 and its dependent claims are allowable.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 1/11/05



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